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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,503	12/05/2005	Daniel L Barker	JCI01 P1049	9358

277 7590 03/12/2007
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EXAMINER

PAYNE, SHARON E

ART UNIT	PAPER NUMBER
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2875

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/535,503

Applicant(s)

BARKER ET AL.

Examiner

Sharon E. Payne

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7 is/are allowed.
- 6) ☒ Claim(s) 8-17, 27 and 28 is/are rejected.
- 7) ☒ Claim(s) 18-26 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 0505

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: the PCT Application number needs to be filled in on page 4. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over VandenBerge et al. (U.S. Patent 4,760,503) in view of Sakuma (U.S. Patent 5,117,337).

Regarding claim 8, VandenBerge et al. discloses a mirror frame adapted to receive a mirror therein (Fig. 2), the mirror frame including a lamp for illuminating the mirror (reference number 63), the frame including a pair of spaced-apart cover receiving sockets near an edge of the frame (column 3, lines 50-60, and in Fig. 3, upper top right and left of main body) and the other socket is an open socket for allowing the snap-in assembly of a cover to the frame (Fig. 4), the frame further including at least one detent spring receiving socket (column 3, lines 60-

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66), a cover (reference number 70) including integrally formed first and second pivot axles for extending within the cylindrical and open sockets (reference number 48 and 49), the cover including a cam aligned with the detent spring for providing snap open and closed control of the cover (column 4, lines 30-40), and a lens (reference number 51) coupled to the frame (Fig. 3). The portion of the claim starting with "for holding at least one of the cover pivot axles within the frame" is considered to be functional language that is not given patentable weight in an apparatus claim. See M.P.E.P. 2114. VandenBerge et al. does not disclose a closed socket.

Sakuma discloses one of the sockets comprises a cylindrical socket (reference number 22) for captively holding a pivot axle therein (Fig. 7, top right at joint).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the enclosed socket of Sakuma in the apparatus of VandenBerge et al. to hold the axle more securely.

4. Claims 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over VandenBerge et al. and Sakuma as applied to claim 8 and further in view of Dowd et al. (U.S. Patent 5,267,090).

Regarding claim 9, VandenBerge et al. discloses the mirror frame being formed of a polymeric material (column 3, lines 5-15).

VandenBerge et al. and Sakuma do not disclose an insert-molded circuit.

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Dowd et al. discloses an insert-molded electrical circuit including contacts adapted to engage conductors of a visor core when the vanity mirror assembly is mounted to a visor core (column 3, lines 5-15).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Dowd et al. in the apparatus of VandenBerge et al. and Sakuma to enable one to make an electrical connection more easily.

Concerning claim 10, VendenBerge et al. discloses a lamp socket for receiving a lamp (Fig. 2, portion by reference number 63).

Regarding claim 11, VendenBerge et al. discloses a switch including a deflectable switch contact (column 4, line 65, to column 5, line 1).

Concerning claim 12, VendenBerge et al. discloses the pivot axle of the cover further including a switch cam with selectively engages the deflectable contact for actuating the switch when the cover is in an open position to provide operating power to a lamp positioned in the lamp socket (column 5, lines 29-40).

5. Claims 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over VendenBerge et al. in view of Dowd et al.

Regarding claim 13, VendenBerge et al. discloses the housing being molded of a polymeric material (column 3, lines 5-15).

VendenBerge et al. do not disclose an insert-molded electrical circuit.

Dowd et al. discloses an insert-molded electrical circuit which is coupled to an electrical component within the housing (column 3, lines 5-10), and wherein the electrical circuit includes contacts adapted to engage contacts of a visor core when the housing is assembled to a visor core for coupling to an electrical supply available in the core to the electrical component (column 3, lines 1-10).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Dowd et al. in the apparatus of VandenBerge et al. to enable one to make an electrical connection more easily.

Regarding claim 14, VendenBerge et al. discloses the housing as an illuminated vanity mirror frame (abstract) and the electrical component as a lamp (reference number 63).

Concerning claim 15, VendenBerge et al. discloses a cover (reference number 70) pivotally mounted to the mirror frame (abstract) and wherein the circuit further includes a switch including a deflectable element engaged by the cover for actuating the switch when the cover is in an open position to provide operating power to the lamp (column 5, lines 29-55).

Regarding claim 16, VendenBerge et al. discloses a visor body having at least one electrical conductor for coupling to a vehicle electrical system (Fig. 2, see reference number 110), and a mirror frame adapted to receive a mirror therein (Fig. 2), wherein the mirror frame is molded of

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a polymeric material (column 3, lines 5-15). VendenBerge et al. does not disclose an insert molded circuit.

Dowd et al. discloses an insert-molded electrical circuit which is coupled to an electrical component within the housing (column 3, lines 5-10), and wherein the electrical circuit includes at least one contact adapted to engage the conductor of a visor body when the frame is assembled to a visor body for coupling to an electrical supply available in the body to the electrical component (column 3, lines 1-10).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Dowd et al. in the apparatus of VendenBerge et al. to enable one to make an electrical connection more easily.

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over VendenBerge et al. and Dowd as applied to claim 16 above, and further in view of Hemmeke et al. (U.S. Patent 5,685,629).

Regarding claim 17, VendenBerge et al. and Dowd do not disclose a ledge. Hemmeke et al. discloses at least one conductor holding ledge (Fig. 6, abstract). The portion of the claim starting with "for positioning" and continuing to the end of the claim constitutes functional language that is not given patentable weight. See M.P.E.P. 2144.04.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Hemmeke et al.

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in the apparatus of VendenBerge et al. and Dowd to support the conductor. See the abstract of Hemmeke et al.

7. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sakuma (U.S. Patent 5,117,337) in view of VandenBerge et al.

Regarding claim 27 Sakuma disclose a visor body (Fig. 3), a mirror frame adapted to receive a mirror therein (Fig. 4) a cover receiving sockets near an edge of the frame for allowing the snap-in assembly of a cover to the frame (column 4, lines 44-55), a cover (reference number 17, Fig. 6) having first and second pivot axles for extending within the sockets (Fig. 4, top right and left), and a lens coupled to the frame (reference number 41) and an enclosed cylindrical socket (Fig. 7, top right at joints) and wherein the cover includes a first pivot axle (reference number 40) extending within the closed cylindrical socket (Fig. 7, top right at joints). Sakuma does not disclose open sockets.

VandenBerge et al. discloses the sockets of the mirror frame including an an open semi-cylindrical socket (reference number 90) longitudinally spaced from the other socket (Fig. 3), and a second pivot axle (reference number 90) snap-fitted within the semi-cylindrical socket (column 4, lines 25-30).

The portions of the claim, one of which starts with “for holding” and ends with “said frame” and another portion starts with “said lens

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holds” and ends with “cylindrical socket”, are considered to constitute functional language that is not given patentable weight. See M.P.E.P. 2114.

8. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sakuma in view of VandenBerge et al. as applied to claim 27 and further in view of Dowd et al.

Regarding claim 28, Sakuma discloses a lamp for illuminating the mirror (abstract). Sakuma does not disclose a polymeric material or an insert-molded circuit.

VandenBerge et al. discloses the mirror frame being formed of polymeric material (column 3, lines 5-15).

Dowd et al. discloses an insert-molded circuit including contacts adapted to engage contacts of the visor body when the vanity mirror assembly is mounted to the visor body (column 3, lines 5-15).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Dowd et al. in the apparatus Sakuma and VandenBerge et al. to make electrical connections more easily.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of VandenBerge et al. in the apparatus of Sakuma to be able to mold the apparatus easily. See column 3, lines 5-10, of VandenBerge.

Allowable Subject Matter

9. Claims 1-7 are allowed.

10. Claims 18-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. The following is a statement of reasons for the indication of allowable subject matter. The prior art fails to disclose a vanity mirror assembly having the following features:

1) a lens adapted to snap fit within the mirror frame over the lamp, the lens including an edge with engages the second pivot axle to hold the cover in engagement with the mirror frame as recited in claim 1;

2) the visor body includes a first ledge including a hook for holding the conductor to the visor body and a second ledge including a notch for receiving and holding a stripped end of the conductor in a fixed position as recited in claim 18.

Conclusion


12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharon E. Payne whose telephone number is (571) 272-2379. The examiner can normally be reached on regular business hours.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sep


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